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Subject: The Question of Open Government

Comments are attached.

The Question of Open Government

United Neighborhoods held a session entitled "What do we need for open San Jose city government? The agenda included discussion of local Sunshine law proposals, public participation, public accountability, public outreach and role of elected officials, city attorney and district attorney

The issue of right of participation in Open Government was raised in the session preamble but nothing was said about corresponding duties and obligation on those who would exercise the right. That is an error and a common one made whenever issues of rights are invoked or discussed.

There was also a presentation given about 8 rungs of participation in government by citizens. The ultimate rung is called citizen power. By framing the end goal as aspiring to power, you corrupt the outcome in my view. The argument becomes, you have power, I do not, and I want what power you have. In the event of the acquisition of power, it seems unlikely that the exercise of power, the governance, would be significantly different. I would argue that rather than framing the discussion as being about gaining power, the issue should be about exercising leadership *as citizens, as residents* because this means that responsibility and accountability and consequences are part of the deal.

As well, it seems to me that complaints about the processes of governance become easier to resolve if the issue is viewed through the maxim of form follows function. If the function of open governance is adhered to, the process will follow.

Having considered all that was presented during the meeting, the following questions came to mind:

- Is the definition of open government the real starting point of the discussion?
- If open is defined as complete transparency, then we could have a truly open government built from glass ceilings, floors, and walls. If full and open access place citizens in the halls of government populated by those who speak a veritable foreign language, is that progress?
- This discussion of open government seems to be missing any correlation to efficiency and effectiveness. Why is this?
- What role is defined for staff in delivering the spirit as well as the letter of goal of open government?
- How can citizen-leaders, resident-leaders become a key ingredient of open government?
- What are the tangible measures of effective participation and can responsibility be made a transparent characteristic of the process too?
- Is full and open access enough? What is the right and duty and obligation of participation?
- How does the concept of open governance incorporate both formal and informal governance?

- Isn't it true that the government that governs least governs best BECUASE the people will self-discipline, will self-regulate?
- What evidence or behaviors would correspond to the 8 rungs of participation shown during the session?